

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2656

Introduced by Assembly Member De Leon

February 19, 2010

An act to add Section 66014.7 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2656, as amended, De Leon. Postsecondary education: contracts for academic research.

Existing law, the Donahoe Higher Education Act, sets forth the missions of the public and private segments of higher education in this state. Existing law, the State Contract Act, contains provisions that generally regulate the process through which state agencies enter into contracts for goods and services.

This bill would require that any research conducted by an administrator, faculty member, or staff member of a public or private postsecondary educational institution in this state be subject to internal institutional policies to ensure that the research ~~has been peer reviewed~~ *and* meets minimum *academic* standards and protocols, *as defined by the university employer or its faculty senate*. The bill would prohibit a state agency from entering into a contract for academic research without *first* verifying that the contracting institution, and the administrator, faculty member, or staff member conducting the research, complies with the internal *institutional* policies ~~to ensure that adequate academic standards and protocols have been met~~. *The bill would also require a*

state agency to require the researcher to certify that the research complies with the academic standards and protocols adopted by the university or its faculty senate.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66014.7 is added to the Education Code,
2 to read:
3 66014.7. (a) Notwithstanding any other law, any research
4 conducted pursuant to a contract with the State of California by
5 any administrator, faculty member, or staff member of a public or
6 private postsecondary educational institution in this state shall be
7 subject to internal institutional policies to ensure that the research
8 ~~has been peer reviewed and~~ meets minimum academic standards
9 and protocols, ~~in accordance with Section 10109.3 of the Public~~
10 ~~Contract Code, prior to being released to the contracting agency.~~
11 *as defined by the university employer or its faculty senate.*
12 (b) A state agency shall not enter into a contract with a public
13 or private postsecondary educational institution for academic
14 research without first verifying that the contracting institution, and
15 the administrator, faculty member, or staff member conducting
16 the research, have complied with internal policies of the institution
17 ~~to ensure that adequate academic standards and protocols have~~
18 ~~been met in accordance with subdivision (a).~~ *and require the*
19 *researcher to certify that the research complies with the academic*
20 *standards and protocols adopted by the university or its faculty*
21 *senate.*